

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michelle Hogquist,

Case No. 21-CV-2080 (SRN/TNL)

Petitioner,

v.

ORDER

Mercy Hospital; Anoka County Police
Departments; Anoka County Sheriff's
Office; Anoka County District Courts &
Offices; and Anoka County Public
Defenders Office,

Respondents.

Michelle Hogquist, 4139 Main St., Columbia Heights, MN 55421, Pro Se Petitioner.

Edwin William Stockmeyer III and Matthew Frank, Office of the Minnesota Attorney
General - Trials and Appeals, Bremer Tower, Suite 1800, 445 Minnesota Street
St. Paul, MN 55101-2134, for Respondents.

This matter is before the Court on the Motion to Compel [Doc. No. 9] and the
Motion for a Temporary Restraining Order [Doc. No. 10] filed by Petitioner Michelle
Hogquist.

Ms. Hogquist filed a petition for a writ of habeas corpus in August 2021 [Doc. No.
1]. As Magistrate Judge Tony Leung noted in a Report and Recommendation ("R&R")
[Doc. No. 7], to which Ms. Hogquist did not object, there are four pending state court
criminal cases against Petitioner. (R&R at 1.) This Court adopted the magistrate judge's
findings that Ms. Hogquist's claims were mostly raised prematurely and the lone possible
exception was insufficiently pleaded. (Oct. 29, 2021 Order [Doc. No. 8] at 1.)

Accordingly, on October 29, 2021, it dismissed her Petition without prejudice and declined to issue a certificate of appealability. (*Id.* at 1–2.)

On December 17, 2021, Petitioner filed the instant motions, in which she seeks to compel the Anoka Country District Court to quash active search warrants against her, (Mot. to Compel at 1), and requests injunctive relief for claims related to certain family members who served in the armed forces. (Mot. for TRO at 1–4.)

It is unclear whether Ms. Hogquist intended to file these motions in this case as opposed to initiating a new proceeding. If Ms. Hogquist is intending to initiate a new habeas corpus proceeding, she must submit a document that is substantially the same as the form for habeas corpus petitions made available by the Clerk of Court so that her substantive claims for relief may be more readily discerned. *See* D. Minn. L.R. 9.3.

To the extent that she seeks to revisit the order of dismissal, the Court finds no basis in her motions to conclude that it made a mistake. The Court notes, however, that it neglected to direct entry of judgment in its October 29, 2021 Order. Accordingly, consistent with that Order, the Court now directs entry of judgment.

Finally, to the extent that Ms. Hogquist might be attempting to appeal from the dismissal, none of the documents she has submitted may reasonably be interpreted as a notice of appeal consistent with Fed. R. App. P. 3(c). However, because judgment is only now being entered, she will have another 30 days in which to file a notice of appeal, if she so desires. The Court did, however, deny a certificate of appealability, and the Court will not revisit that finding.

Accordingly, based upon all of the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Petitioner's Motion to Compel [Doc. No. 9] is **DENIED**.
2. Petitioner's Motion for a Temporary Restraining Order [Doc. No. 10] is **DENIED**.
3. Consistent with this Court's October 29, 2021 Order [Doc. No. 8], this matter is **DISMISSED**, no certificate of appealability shall issue, and **JUDGMENT SHALL BE ENTERED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 20, 2021

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge